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TWITTER, INC. AND YELP INC.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

EVOLUTIONARY INTELLIGENCE, LLC,  
Plaintiff,

v.

SPRINT NEXTEL CORPORATION, *et al.*,  
Defendants.

Case Nos. C-13-04513-RMW,  
C-13-04201-DJ, C-13-04202-SI,  
C-13-04203-MMC, C-13-04204-SI,  
C-13-04205-WHO, C-13-04206-EJD,  
C-13-04207-JSW, C-13-03587-DMR

**TWITTER, INC. AND YELP INC.'S  
STATEMENT REGARDING  
ESTOPPEL AS A CONDITION OF  
MAINTAINING STAY**

EVOLUTIONARY INTELLIGENCE, LLC,  
Plaintiff,

v.

APPLE INC.,  
Defendant.

1 EVOLUTIONARY INTELLIGENCE, LLC,

2 Plaintiff,

3 v.

4 FACEBOOK, INC.,

5 Defendant.

6 EVOLUTIONARY INTELLIGENCE, LLC,

7 Plaintiff,

8 v.

9 FOURSQUARE LABS, INC.,

10 Defendant.

11 EVOLUTIONARY INTELLIGENCE, LLC,

12 Plaintiff,

13 v.

14 GROUPON, INC.,

15 Defendant.

16 EVOLUTIONARY INTELLIGENCE, LLC,

17 Plaintiff,

18 v.

19 LIVINGSOCIAL, INC.,

20 Defendant.

21 EVOLUTIONARY INTELLIGENCE, LLC,

22 Plaintiff,

23 v.

24 TWITTER, INC.,

25 Defendant.

1	EVOLUTIONARY INTELLIGENCE, LLC,
2	Plaintiff,
3	v.
4	YELP INC.,
5	Defendant.
6	EVOLUTIONARY INTELLIGENCE, LLC,
7	Plaintiff,
8	v.
9	MILLENNIAL MEDIA, INC.,
10	Defendant.

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12 Defendants Twitter, Inc. and Yelp Inc. filed petitions for *inter partes* review concerning

13 the patents-in-suit. Twitter, Inc. and Yelp Inc., therefore, are already bound by the estoppel

14 provisions of 35 U.S.C. §§ 315 and 318(a) to the extent any such provisions apply to the filed

15 petitions.

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17 Dated: October 7, 2014

KILPATRICK TOWNSEND & STOCKTON LLP

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19 By: /s/ Robert J. Artuz

20 ROBERT J. ARTUZ

21 Attorneys for Defendants

22 TWITTER, INC. AND YELP INC.

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically using the Court's Electronic Case Filing ("ECF") system in compliance with Local Rule CV-5-1(a). As such, this document was served today on all counsel who have consented to electronic service.

Dated: October 7, 2014

/s/ Robert J. Artuz  
Robert J. Artuz

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